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T.R.A. DOCKET ROOM


Guy M. Hicks
General Counsel

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September 17, 2004

VIA HAND DELIVERY

Hon. Pat Miller
Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc and Electric Power Board of Chattanooga Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*
Docket No. 04-00302

Dear Chairman Miller

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Electric Power Board of Chattanooga and BellSouth Telecommunications, Inc are hereby submitting to the Tennessee Regulatory Authority the original and fourteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated July 17, 2003. The Amendment provides for Local Portability recovery.

Thank you for your attention to this matter.

Sincerely yours,


Guy M. Hicks

cc Electric Power Board of Chattanooga

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Electric Power Board of Chattanooga Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*

Docket No. _____

PETITION FOR APPROVAL OF THE
AMENDMENT TO THE INTERCONNECTION AGREEMENT
NEGOTIATED BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.
AND ELECTRIC POWER BOARD OF CHATTANOOGA
PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, Electric Power Board of Chattanooga ("EPB Telecommunications") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated July 17, 2003 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, EPB Telecommunications and BellSouth state the following:

1. EPB Telecommunications and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to EPB Telecommunications. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on August 18, 2003.

2. The parties have recently negotiated an Amendment to the Agreement which provides for Local Portability recovery. A copy of the Amendment is attached hereto and incorporated herein by reference.

3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, EPB Telecommunications and BellSouth are submitting their Amendment to the TRA for its consideration and approval. The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and EPB Telecommunications within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. EPB Telecommunications and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

EPB Telecommunications and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 17th day of Sept, 2004

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC

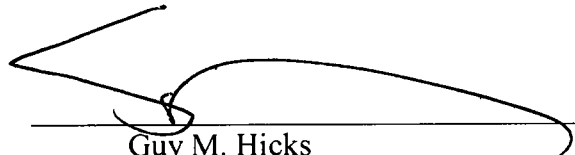
By: 

Guy M. Hicks
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300
(615) 214-6301
Attorney for BellSouth

CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the 17th day of Sept, 2004:

Electric Power Board of Chattanooga
536 Market Street
P.O. Box 182255
Chattanooga, Tennessee 37422-7255



Guy M. Hicks

**Amendment
To the
Interconnection Agreement
Between
Electric Power Board of Chattanooga
and
BellSouth Telecommunications, Inc.
Dated July 17, 2003**

Pursuant to this Amendment, (the "Amendment"), Electric Power Board of Chattanooga (EPB Telecommunications), and BellSouth Telecommunications, Inc ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated July 17, 2003 ("Agreement") to be effective 30 days after the date of the last signature executing the Amendment.

WHEREAS, BellSouth and EPB Telecommunications entered into the Agreement on July 17, 2003, and,

WHEREAS, BellSouth and EPB Telecommunications are amending the Agreement to modify Local Number Portability (LNP) recovery charge pursuant to the Order in the matter of the Telephone Number Portability BellSouth Corporation Petition for Declaratory Ruling and/or Waiver, CC Docket No 95-116, released April 13, 2004,

NOW, THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. The Parties agree to delete in their entirety all rate elements and USOCs identified as "Local Number Portability charges" in Exhibit B of Attachment 2, as specified by the following USOCs: LNPCX, LNPCP, LNPCN, and LNPCC.
2. The Parties agree to add the following language to Section 4 as Section 4.1.1 of Attachment 2 and Section 5 as Section 5.6.4 of Attachment 2:
 - In addition to other charges specified in this Agreement for Local Number Portability EPB Telecommunications shall pay to BellSouth the Local Number Portability charges as set forth in Section 13 of the BellSouth FCC No. 1 Tariff;
3. All of the other provisions of the Agreement dated July 17, 2003 shall remain unchanged and in full force and effect.
4. Either or both of the Parties are authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year
written below

BellSouth Telecommunications, Inc.

By

Name: Kristen E Rowe

Title: Director

Date

7/26/07

Electric Power Board of Chattanooga

By:

Name:

Title:

Date:

7/22/04